

United States Court of Appeals
Eleventh Circuit
Atlanta Georgia 30303

2008 SEP -4 A 10:07

Appeals Number 08-11163

BARBARA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Richard Wayne Wright Sr. Bey *

Plaintiff Appellant * 05-439-CV-WSH

Verse, * District Court

Sylvester Nettles, Captain * Number

Dr. Hammer et al. *

Defendants - Appelles *

Motion For Status Of And For
Certificate Of Appealability.

Comes Now, Plaintiff Richard
Wayne Wright Sr. Bey A.I.S. # 187140
Pro-se through and by Kilby Correctional
Facility law library and Files this
Motion "Motion For Status Of And For
Certificate Of Appealability".

Plaintiff Wright Bey is Concerned
about the Certificate Of Appealability be-
cause Miss Jacqueline Cooper (ASA II) (BIF)
(mail Clerk) at Elmore Correctional Facility
wrote Plaintiff a disciplinary on 8/7/08
which was served on August 8, 2008 by
Officer Samuel West (Co. I) (W/M) at
said time 2:40 a.m. Mrs J. Cooper allege

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"On 08/04/2008 Ms. Cooper ordered inmate Richard Wright B/187140 not to put more than one legal letter in the mail box because he is only allowed two stamps per week. Inmate Wright had already mailed a legal letter this week. On 08/07/08. Ms. Cooper Found Four legal letters in the mail box to be mailed out." Signed by her Jacqueline Cooper (ASA II) on 8/1/08.

Plaintiff Wright Bey was placed in the situation in which a desired outcome is impossible to attain because of a set of inherently contradictory rules or conditions. Plaintiff followed Court's orders (Doc. No. 185-1) Filed 7/24/2006 1 of 2 ordered that: "2... the Plaintiff shall mail to Counsel for the defendants a true copy of anything which he sends to the Court. Failure to do so may result in dismissal of this ~~Court~~ Case or other penalties..."

Plaintiff also were informed in Case 2:06-CV-00863-WKW-CSC (Doc. No. 24-1) Dated Filed 11/28/2006 Page 3 of 6 [2. Notice To Plaintiff (a) The Federal Rules of Civil Procedure require that the plaintiff mail to Counsel for the defendants, or if no

attorney has appeared on behalf of the defendants, the defendants, a true copy of ~~anything~~ which he sends to the Court. Failure to do so may result in dismissal of this case or other penalties. Anything Filed should contain a Certificate of Service which specifically states that the pleading has been sent to Counsel for the defendants. IF the pleading does not contain a Certificate of Service, it will not be accepted for filing.

Plaintiff has not heard from this Court or the Middle District Court in Montgomery. Concern said "Certificate of Appealability; Dated August 16, 2008, by Plaintiff. If this Court "Court of Appeals" has received plaintiff Motion "Certificate of Appealability" please direct any response to the address noted on the accompanied motion "Notice of Change of Address". Plaintiff hopes the change in address will be for the better (access to Court) and not be punish further for telling the Court's Violations of his Constitutional rights. Plaintiff Wright Bey has search diligently for a way ~~out~~ out and to reach some

point to bring these suits to an end without being killed by these angry prison officials. Some functioning through and by health care personnel, some through and by pardons and parole board members and associates; and mental health management, with the largest group 'functional' through and by Alabama Department of Corrections officials. Plaintiff has sought the Courts "middle district Court" to give Plaintiff Wright Bey an attorney whom may have better 'luck' with dealing with the leader (head Counselor for defendants) who obtain power to appealed to the emotions and prejudices and judgement of the populace.

Plaintiff was again meet with defendant Sherry Seals, motives to guide defendants and/or defendants agents and family members to overwhelm's plaintiff with a temporary state of mental confusion resulting from retaliation. It's understood Mrs Sherry Seals came to ~~Elmore~~ Easterling Correctional facility as Classification Supervisor and choose not to include her name of the recommendation Ms. Hayes (assign Classification Specialist) at Easterling

used to discontinue plaintiff at trade school and sent him to Elmore Correctional Facility where in ~~the~~ RWW plaintiff was reclassified, punished, and Subject to more retaliation. Mrs Seals mentioning of 'dementia' at Bullock Correctional Facility (~~At~~ RWW) Finds him at Kilby Correctional Facility (K.C.F.).

IF this motion is not in its proper Form plaintiff ask that this Court Consider this motion in to its proper Form.

Done this the 31st day of August 2008.

Respectfully Submitted,

Richard W. Wright Sr. Bey

Richard W. Wright, Sr. Bey #187140

Kilby Correctional Facility

Post Office Box #150

Dorm 'B' Bed 10-A

Mt. Meigs, Ala. 36057

Certificate of Service

This is to Certify that I Richard Wayne Wright Sr. Bey Pro-Se, am petitioner in the above encaptioned Motion "Motion For status of And For Certificate of Appealability" And sent to this Honorable Court a

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a Copy of this said motion, to
the defendant's Counselors address
With prepaid postage to the Following:

Gregory F. Yaghmai
ASB-2411-H676

Scott, Sullivan Streetman & Fox, P.C.
2450 Valley Dale Road
Birmingham Alabama 35244

Troy King (Attorney General)
State Bar # ASB-5949-3615

Steven Mallette Simon
Hugh Davis (Attorney)
Alabama Board Pardon And Paroles
Post Office Box 302405
Montgomery, Alabama 36130

Office of the Clerk
United States District Court
Post Office Box 711
Montgomery, Alabama 36101-0711

The Following Defendants Counselors
were sent a Copy of this Motion through
and by inmate's legal mail for postage
to be supplied by prison officials
as follows:

David B. Block ASB-5098-K62D
William R. Lunsford (ASB-4265-L72L)
Douglas B. Hargett (ASB-9928-581H)
Baich & Bigham LLP
Post office Box 18668
Huntsville Alabama 35804-5668

Kim T. Thomas
Gregory Marion Biggs
Alabama Department of Correction
Legal Division
301 Ripley Street
Montgomery, Alabama 36130

Plaintiff Further Certify that
he has sent a Copy of this Motion
to the Clerk of the Court by
placing this motion in the United
States mail box at Kilby Correctional
Facility with First Class postage
prepaid and properly address this on
the 31st Day of August, 2008.

Respectfully Submitted,
Richard W. Wright Sr. Bey
Richard Wayne Wright Sr. Bey #187640
Appellant, Pro-Se.
28 USC § 1746

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Richard W. Wright, Jr. #18740 2008 1120+10192

Kilby Correctional Facility

Dorm 'B' Bed 10-A

Post Office Box # 150

Mt. Meigs, Ala 36057

POSTAGE DUE 1.17



This correspondence is forwarded
to an official of the prison. The contents
have not been screened by the Alabama
Department of Corrections. It is not possible
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United States Middle District

Office of the Clerk

Post office Box # 711

Montgomery Alabama 36101-0711

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